

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

CORTEZ BROWN,

Defendant.

Case No. 3:20-CR-30064-NJR

ORDER REDUCING SENTENCE

ROSENSTENGEL, Chief Judge:

Now before the Court is Defendant Cortez Brown's Motion for Sentence Reduction (Doc. 35) pursuant to 18 U.S.C. § 3582(c) and the United States Sentencing Guidelines Manual § 1B1.10, making Amendment 821 retroactive. The Government does not oppose the motion. (Doc. 37).

The parties agree that Brown is eligible for a reduction under Part A of Amendment 821, which amended § 4A1.1(e) (2023) and concerns criminal history points ("status points") awarded because a defendant was under a criminal sentence when he or she committed the offense of conviction. Brown's total offense level at sentencing was 29, and his criminal history category was IV, which provided for a guideline range between 121 and 135 months. Count 2 had a 10-year mandatory minimum. The Court imposed a sentence of 121 months—at the low-end of the guideline range. (*See* Doc. 30). Under Amendment 821, Brown's criminal history category is reduced from IV to III. Thus, the guideline sentencing range is lowered to a range of 120 to 135 months. With

this lowered range, the parties agree that a sentence reduction from 121 to 120 months is appropriate.

The Court agrees. Upon consideration of the Defendant's motion under 18 U.S.C. § 3582(c)(2) for a reduction of sentence pursuant to Part A of Amendment 821 to the Sentencing Guidelines, and considering the policy statement set forth at U.S.S.G. § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), the Court **GRANTS** Defendant Brown's motion (Doc. 35) and **ORDERS** that his sentence be reduced to a term of **120 months**. All other terms of the judgment in this case shall remain unchanged. This Order shall take effect on **February 1, 2024**.

IT IS SO ORDERED.

DATED: January 12, 2024

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive, flowing style. Behind the signature, there is a faint, circular official seal of the United States District Court for the District of New Jersey.

NANCY J. ROSENSTENGEL
Chief U.S. District Judge